

BEFORE THE HUMAN RIGHTS COMMISSION
OF THE STATE OF MONTANA

NANCY SIEGEL,)	
Charging Party)	Cause No. 002701039
)	
vs.)	ORDER AFFIRMING
)	NOTICE OF DISMISSAL
)	
MONTANA UNIVERSITY SYSTEM,)	
Respondent.)	

The above-captioned matter came before the Montana Human Rights Commission (Commission) on September 20, 2002. The Commission considered Charging Party's appeal and objection to the dismissal of the complaint. Oral arguments were requested. The parties stipulated to incorporate by reference oral arguments presented in the preceding matter (*Neff v. Montana University System, et al*, Case No. 00270100138). Appearing before the Commission, Elizabeth Brenneman, attorney for Charging Party, and Leroy Schramm, attorney for Respondent.

After review and consideration of the entire record, the Commission concludes that the Human Rights Bureau (HRB) properly dismissed the matter for lack of jurisdiction. It is the determination of the Commission that HRB's Notice of Dismissal should be affirmed and overruling Charging Party's objection. The Commission determines that the Human Rights Bureau did not have jurisdiction to consider the complaint because Charging Party lacked standing and failed to state a claim under current Montana law.

Consequently, the Commission determines that HRB did not abuse its discretion when it issued a notice of dismissal. *24.9.1714(3), ARM*.

The parties are advised that Charging Party has 90 days after receipt of this order to file a civil action in district court. *49-2-509(5), MCA*. If Charging Party fails to file a civil action in district court within the 90 day period, Charging Party's claims under the Montana Human Rights Act, as stated in the above-captioned complaint, will be barred.

IT IS HEREBY ORDERED, that Charging Party's objection is overruled and notice of dismissal is affirmed.

Commission

Mr. Gary Hindoien, Chair
Montana Human Rights

CERTIFICATE OF SERVICE

The undersign employee of the Human Rights Bureau certifies that a true copy of the forgoing Human Rights Commission ORDER was served on the following persons by U.S. mail, postage prepaid, on September ____, 2002.

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